

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

v.

FRED HAYWOOD,
Petitioner.

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No. 08 CR 1023-2

Judge Ronald A. Guzmán


MEMORANDUM OPINION AND ORDER

For the reasons stated below, Haywood's motion for leave to appeal *in forma pauperis* [360] is denied.

STATEMENT

Haywood seeks leave to appeal this Court's order dated September 20, 2016 *in forma pauperis*, but does not include the statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances in his institutional accounts during the last six months. See Fed. R. App. P. 24(a)(1)(A); 28 U.S.C § 1915(a)(2). Nor does he state the issues he intends to present on appeal. See Fed. R. App. P. 24(a)(1)(C); 28 U.S.C § 1915(a)(1). Further, the Court certifies that the appeal is not taken in good faith as Haywood previously raised the issue discussed in his Rule 52(b) motion, the order on which he seeks leave to appeal in forma pauperis, but fails again to provide any basis on which this Court can grant relief. See 28 U.S.C. § 1915(a)(3); *Brown v. Spain*, No. 11 C 08403, 2014 WL 6805467, at *2 (N.D. Ill. Nov. 23, 2014) ("If the basis of the appeal is frivolous, meaning that no reasonable person could believe that the suit has merit, *Lee v. Clinton*, 209 F.3d 1025, 1026–27 (7th Cir. 2000), then the appeal is not taken in good faith (even if the appellant subjectively believes in the appeal's merits)."). Haywood's motion for leave to appeal *in forma pauperis* is therefore denied.

Date: October 5, 2016


Ronald A. Guzmán
United States District Judge